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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/684,263

10/12/2003

Craig Beilinson

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EXAMINER

LY, CHEYNE D

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/684,263	Applicant(s) BEILINSON ET AL.	
	Examiner CHEYNE D. LY	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 52-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 52-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/12/09</u> . | 6) ☐ Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 08, 2009 has been entered.
2. Claims 52-60 are examined on the merits.
3. The information disclosure statement (IDS) submitted on February 12, 2009 was filed after the mailing date of the Final Office Action on October 24, 2008. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.
4. Applicant's arguments with respect to claims 52-60 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent

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any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 52-55 and 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al. (US 6,301,586 B1) in view of Robbin et al. (US 2003/0079038 A1) (Robbin hereafter) and Jamsa (1998).

8. In regard to claim 52, Yang discloses a computer storage media having computer-executable components (column 5, lines 19-36) comprising:

A basket interface component configured to simultaneously manipulate received data objects as an integrated unit (column 11, lines 53-54, e.g. main window...of all child windows...all of the child windows are contained by the MDI parent Window); and
A collection creation component (column 12, lines 35-44, e.g. albums created under each of the collections), for each data object submitted to the basket interface component, adds at least one data item corresponding to the submitted data object to a collection of data items (column 1, lines 54-58, and column 23, line 39, to column 24, line 9), wherein the basket interface component includes a writable property which defines properties of the collection of data items, the writeable property being writable before a basket control is displayed (column 12, line 61, to column 13, lines 12, Figures 8 and 9, e.g. user needs to enter the new album name and type...user wants to edit the selected field name, and column 14, lines 1-4, e.g. pop up dialog box to ask the user if he/she wants to supply new paths or file name); and

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A listmaker application programming interface for modifying properties of a browser software component (column 17, lines 48-51, e.g. drop down list, or Figure 27 which illustrates a list).

9. Further, Yang discloses the integrated unit being implemented in Microsoft Windows 95 (column 4, lines 35-36). However, Yang does not explicitly describe "to simultaneously manipulate received data objects..." Jamsa discloses a well known feature of Windows for performing a file using all the files in a folder (111 and Figure 111).

10. Yang does not describe the limitation of "a playlist...to a host application." Robbin describes an improvement directed to playlists in a host application (page 2, [0014]-[0015], and [0033]).

11. Robbin describes a need for improved approaches to manage media content on host computers and/or media players (page 1, column 2, [0009]) running Windows (page 1, column 1, [0007]). Yang provides improved management of multimedia objects by means of enhanced input, manipulation, and output (column 1, lines 44-47) for sound and video clips (column 1, line 53) implemented in Microsoft Windows 95 (column 4, lines 35-36). Jamsa discloses the well known in the art features of Windows 98. Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Yang to improve the system of Robbin by providing enhanced input, manipulation, and output for sound and video clips (multimedia) in Windows as describe by Jamsa. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the user interface of Yang with the playlists in a host application of Robbin and Jamsa.

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12. In regard to claim 53, Yang in view of Robbin and Jamsa cited above describes all the limitations of said claim. Further, Yang describes “a flag configured to modify how the display interface displays controls associated with the basket interface component” (column 15, line 49, to column 21, line 3, e.g. template wizard allows a user to customize and/or modify templates).

13. Robbin describes a need for improved approaches to manage media content on host computers and/or media players (page 1, column 2, [0009]) running Windows (page 1, column 1, [0007]). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the user interface of Yang with the playlists in a host application of Robbin and Jamsa.

14. In regard to claim 54, Yang in view of Robin and Jamsa describes the playlist application programming interface component is configured to provide a copy mode property to the basket interface component, wherein the copy mode property control whether the data objects are copied in the data collection in a nested hierarchy (column 5, lines 42-57, e.g. each collection having one or more Albums (nested hierarchy)), column 21, lines 17-22, e.g. copy command, and column 22, lines 49-54, e.g. sub-directory). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the user interface of Yang with the playlists in a host application of Robbin and Jamsa.

15. In regard to claim 55, Yang in view of Robin and Jamsa describes a gauge display in a status bar (column 12, line 23, e.g. status bar).

16. In regard to claim 57, Yang in view of Robin and Jamsa describes the playlist application programming interface component is configured to provide an event message to additional

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software components when the contents of the collection are changed (column 13, line 66, to column 14, line 4, e.g. the user changes the file name, or moves the images to a different location).

17. In regard to claim 58, Yang in view of Robin describes the claimed invention as cited above. Further, Yang describes as a collection of data objects, wherein the basket interface component notifies a browser software component when contents of the collection of data has been modified (column 23, line 40, to column 24, line 14, e.g. add media file to the current active album...a thumbnail will be displayed to preview the selected image) and a listmaker application programming interface for modifying properties of a browser software component, wherein the listmaker application programming interface includes a property selected from the group consisting of an identity of a browser component and an identity of a basket control (column 17, line 48, column 18, line 15, e.g. name is indicated in the list).
18. Further, Yang discloses the integrated unit being implemented in Microsoft Windows 95 (column 4, lines 35-36). However, Yang does not explicitly describe "to simultaneously manipulate received data objects..., wherein the received objects correspond active data objects that are selected by or excluded from the collection of data objects based upon designated criteria" Jamsa discloses a well known feature of Windows for performing a file using all the files in a folder (111 and Figure 111) wherein wherein the received objects correspond active data objects that are selected by or excluded from the collection of data objects based upon designated criteria (112, e.g. depending on the files with which you want to work...want to perform a file operation with all but a few select files, and Figure 112).

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19. Robbin describes a need for improved approaches to manage media content on host computers and/or media players (page 1, column 2, [0009]) running Windows (page 1, column 1, [0007]). Yang provides improved management of multimedia objects by means of enhanced input, manipulation, and output (column 1, lines 44-47) for sound and video clips (column 1, line 53) implemented in Microsoft Windows 95 (column 4, lines 35-36). Jamsa discloses the well known in the art features of Windows 98. Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Yang to improve the system of Robbin by providing enhanced input, manipulation, and output for sound and video clips (multimedia) in Windows as describe by Jamsa. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the user interface of Yang with the playlists in a host application of Robbin and Jamsa.
20. In regard to claim 59, Yang in view of Robin describes the claimed invention as cited above. Further, Yang describes the listmaker application programming interface is configured to provide a writeable and readable width property associated with a width of a

Width	Height	Color Depth
142	125	24
190	85	8
137	99	24
178	104	24
200	194	24
156	135	24
398	249	24
408	253	24
225	155	24
500	399	24
832	824	24
225	155	24
500	399	24
832	824	24
100	170	24
118	90	24
153	141	24
100	170	24
148	138	24
100	85	8
225	200	24

FIG. 27

basket control (Figure 27, e.g.).

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21. In regard to claim 60, Yang in view of Robin describes the claimed invention as cited above. Further, Robbin describes a copy mode property that determines how the data objects will be copied into the collection of data times (page 4, [0041], e.g. determines 406 one or more media items to copy between the host computer and the media player based on the comparison information. For example, media items (e.g., audio files for songs) can be compared using media information such as song title, album name and/or artist name, which pertain to characteristics or attributes of the media items). Further, Yang discloses the integrated unit being implemented in Microsoft Windows 95 (column 4, lines 35-36). However, Yang does not explicitly describe "to simultaneously manipulate received data objects..., whether contents of nested data objects will be flattened or whether the contents of the nested data objects will retain a nested hierarchy" Jamsa discloses a well known feature of Windows for performing a file using all the files in a folder (111 and Figure 111) and whether contents of nested data objects will be flattened or whether the contents of the nested data objects will retain a nested hierarchy (Figures 111 and 112, hierarchy view panel on the left and flatten view on the right).
22. Robbin describes a need for improved approaches to manage media content on host computers and/or media players (page 1, column 2, [0009]) running Windows (page 1, column 1, [0007]). Yang provides improved management of multimedia objects by means of enhanced input, manipulation, and output (column 1, lines 44-47) for sound and video clips column 1, line 53) implemented in Microsoft Windows 95 (column 4, lines 35-36). Jamsa discloses the well known in the art features of Windows 98. Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Yang to improve the

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system of Robbin by providing enhanced input, manipulation, and output for sound and video clips (multimedia) in Windows as describe by Jamsa. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the user interface of Yang with the playlists in a host application of Robbin and Jamsa.

23. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al. (US 6,301,586 B1) in view of Robbin et al. (US 2003/0079038 A1) (Robbin hereafter) and Jamsa (1998), as applied to claims 52-55 and 57-60, in further view of Cooper, A. (1995) (Cooper hereafter).

24. Yang et al. in view of Robin and Jamsa describes the claimed invention except for the limitation of the gauge display is configured to be a three-dimensional pie chart. Cooper describes the gauge display configured to be a three-dimensional pie chart is a well known in the art feature of Windows 95 (page 141, Figure 11-6). Yang describes the above cite invention being implemented in Microsoft Windows 95 (column 4, lines 35-36). Jamsa describes the well known in the art features for Windows. Therefore, one of ordinary skill in the art at the time of the invention would have been motivated by Yang to improve the system of Robbin by providing enhanced input, manipulation, and output for sound and video clips (multimedia) with the gauge display configured to be a three-dimensional pie chart of Windows 95 as described by Cooper and Jamsa.

CONCLUSION

25. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are

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available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

26. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199. The USPTO's official fax number is 571-272-8300.
27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.
28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached on (571) 272-3642.

/Cheyne D Ly/
Primary Examiner, Art Unit 2168